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and Cross-complainant People of the State of
10 California

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12 SUPERIOR COURT OF CALIFORNIA
13 COUNTY OF SAN DIEGO

14
15 **BEKENTON USA, INC.,**

16 **Plaintiff,**

17 **v.**

18 **STATE OF CALIFORNIA and DOES 1 through**
19 **10, inclusive,**

20 **Defendants.**

21 **PEOPLE OF THE STATE OF CALIFORNIA,**
22 **ex rel BILL LOCKYER, Attorney General of the**
State of California,

23 **Cross-Complainant,**

24 **v.**

25 **BEKENTON USA, INC., DOES 1 through 10,**
26 **inclusive,**

27 **Cross-Defendants.**
28

F I L E D

Clerk of the Superior Court

MAR 14 2006

By: K. SANDOVAL, Deputy

J.C.C.P. 4041

**(PROPOSED) ORDER DENYING
BEKENTON'S "MOST-FAVORED
NATIONS" CLAIM**

Date: March 15, 2006
Time: 10:00 a.m.
Dept: 71
Judge: Hon. Ronald S.
Prager
Trial Date: Not set
Action Filed: June 30, 2005

1 This Court having tentatively ruled on November 1, 2005 that Bekenton does not have
2 "Most-Favored-Nations" rights under the Master Settlement Agreement with respect to three
3 agreements between the Settling States and General Tobacco, Farmers Tobacco Company and
4 Premier Manufacturing, Inc., and the parties having waived oral argument on the Court's
5 tentative ruling, this Court hereby adopts its November 1, 2005 tentative ruling as its final order,
6 a copy of which is attached hereto and incorporated by reference herein.

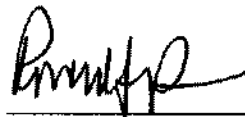
7 Accordingly, it is hereby ordered that:

8 (a) Bekenton's motion for an order determining that Bekenton has "Most-Favored
9 Nations" rights with respect to the three above-referenced agreements is DENIED, and

10 (b) the State of California/People of California's motion for an order determining that
11 Bekenton does not have "Most-Favored Nations" rights with respect to the three above-
12 referenced agreements is GRANTED.

13 IT IS SO ORDERED.

14 Dated: March 14, 2006



HON. RONALD S. PRAGER
San Diego Superior Court Judge

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